

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Bandwidth.com CLEC, LLC to Provide
Resold Interexchange and Local Exchange
Telecommunications Services Throughout South
Carolina

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2007 - 385 - C

(Please type or print)

Submitted by: John J. Pringle, Jr.

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)

- ☐ Electric
☐ Electric/Gas
☐ Electric/Telecommunications
☐ Electric/Water
☐ Electric/Water/Telecom.
☐ Electric/Water/Sewer
☐ Gas
☐ Railroad
☐ Sewer
☒ Telecommunications
☐ Transportation
☐ Water
☐ Water/Sewer
☐ Administrative Matter
☐ Other: _____

NATURE OF ACTION (Check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Letter | <input type="checkbox"/> Request |
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Memorandum | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Answer | <input type="checkbox"/> Motion | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Appellate Review | <input type="checkbox"/> Objection | <input type="checkbox"/> Resale Agreement |
| <input type="checkbox"/> Application | <input type="checkbox"/> Petition | <input type="checkbox"/> Resale Amendment |
| <input type="checkbox"/> Brief | <input type="checkbox"/> Petition for Reconsideration | <input type="checkbox"/> Reservation Letter |
| <input type="checkbox"/> Certificate | <input type="checkbox"/> Petition for Rulemaking | <input type="checkbox"/> Response |
| <input type="checkbox"/> Comments | <input type="checkbox"/> Petition for Rule to Show Cause | <input type="checkbox"/> Response to Discovery |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition to Intervene | <input type="checkbox"/> Return to Petition |
| <input type="checkbox"/> Consent Order | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation |
| <input type="checkbox"/> Discovery | <input checked="" type="checkbox"/> Prefiled Testimony | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Exhibit | <input type="checkbox"/> Promotion | <input type="checkbox"/> Tariff |
| <input type="checkbox"/> Expedited Consideration | <input type="checkbox"/> Proposed Order | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest | |
| <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit | |
| <input type="checkbox"/> Late-Filed Exhibit | <input type="checkbox"/> Report | |

Print Form

Reset Form

ELLIS:LAWHORNE

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January 2, 2008

FILED ELECTRONICALLY AND ORIGINAL VIA 1ST CLASS MAIL SERVICE

The Honorable Charles L.A. Terreni
Chief Clerk
South Carolina Public Service Commission
Post Office Drawer 11649
Columbia, South Carolina 29211

RE: Application of Bandwidth.com CLEC, LLC to Provide Resold
Interexchange and Local Exchange Telecommunications Services
Throughout South Carolina
Docket No. 2007-385-C, ELS File No. 1363-11553


Dear Mr. Terreni:

Enclosed is the original and one (1) copy of the **Pre-Filed Testimony of Kade Ross** filed on behalf of Bandwidth.com CLEC, LLC in the above-referenced docket. I request that the Commission accept this testimony for filing a few days late due to final review of the testimony by my client due to the holiday schedule. Counsel for the ORS has no objection.

Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning it in the enclosed envelope.

If you have any questions or need additional information, please do not hesitate to contact me.

Very truly yours,


John J. Pringle, Jr.

JJP/cr

cc: Nannette S. Edwards, Esquire (via electronic and first-class mail service)
Mr. Kade Ross (via first-class mail service)
Danielle C. Burt, Esquire (via first-class mail service)

Enclosures

**THIS DOCUMENT IS AN EXACT DUPLICATE OF THE E-FILED COPY SUBMITTED TO
THE COMMISSION IN ACCORDANCE WITH ITS ELECTRONIC FILING INSTRUCTIONS.**

**BEFORE THE SOUTH CAROLINA
PUBLIC SERVICE COMMISSION
DOCKET NO. 2007-385-C**

In the Matter of the Application of)
)
)

Bandwidth.com CLEC, LLC)
)

To Provide Resold and Facilities-Based)
Local Exchange and Interexchange)
Telecommunications Services)
Throughout South Carolina)
)
)
_____)

**DIRECT TESTIMONY OF
KADE ROSS**

1 **Q. Please state your full name, business address, and position.**

2 A. My name is Kade Ross. My business address is Bandwidth.com CLEC, LLC, 4001
3 Weston Parkway, Suite 100, Cary, North Carolina 27513. I am the Chief Operating
4 Officer of Bandwidth.com.

5 **Q. Please describe your professional experience.**

6 A. I joined Bandwidth.com in December of 2001 and was named Chief Operating Officer of
7 Bandwidth.com, CLEC in December 2007. I most recently held the position of
8 Executive Vice President, and during my tenure with the company, I have held various
9 leadership positions in Sales and Operational as well as having responsibility for all
10 purchasing, human resources and other special projects throughout the organization. I
11 obtained a B.S. from the University of North Carolina at Chapel Hill.

12 **Q. What is the purpose of your testimony in this proceeding?**

13 A. The purpose of my testimony is to describe the resold and facilities-based services that
14 Bandwidth proposes to offer in South Carolina and to review issues related to
15 Bandwidth's request for a certificate to provide such services. My testimony

specifically relates to Bandwidth's managerial, financial, and technical competence to provide the telecommunications services for which authority is requested, and its compliance with the rules and policies of this Commission.

Q. Please describe the authority that Bandwidth seeks from the Commission.

A. Bandwidth seeks to offer all forms of resold and facilities-based interexchange and local exchange telecommunications services throughout the State of South Carolina.

Q. Please describe the corporate structure of Bandwidth.

A. Bandwidth is a Delaware limited liability company and a subsidiary of Bandwidth.com, Inc., a Delaware S Corporation providing voice and data services.

Q. Does Bandwidth possess the requisite managerial, financial, and technical abilities to provide the services for which it has applied for authority?

A. Yes.

Q. Please describe Bandwidth's managerial and technical qualifications.

A. Bandwidth possesses the managerial and technical qualifications to provide its proposed telecommunications services. Bandwidth is currently authorized to provide telecommunications services in California, Florida, Illinois, Montana, New York, North Carolina, Ohio, Pennsylvania, and Texas. Bandwidth has an application pending in Georgia and is also seeking certification in approximately other 20 states. Bandwidth has not been denied requested certification in any jurisdiction. Descriptions of the telecommunications and managerial experience of Bandwidth's key personnel, who have extensive management, financial, and technical experience, are provided to the Commission with the Application as Exhibit 3.

Q. Please describe Bandwidth's financial qualifications.

1 A. As explained in its Application, Bandwidth possesses the financial qualifications
2 necessary to conduct its telecommunications operations. Financial statements
3 demonstrating Bandwidth's financial capability to offer the proposed services have been
4 submitted as Exhibit 4 of its Application.

5 **Q. Please describe the types of services that Bandwidth will offer in South**
6 **Carolina.**

7 A. Bandwidth intends to provide facilities-based and resold local exchange and facilities-
8 based and resold interexchange telecommunications services in the South Carolina.
9 Applicant plans to offer both local exchange and interexchange services to residential and
10 business customers located in the State of South Carolina through a combination of its
11 own facilities and facilities leased from BellSouth.

12 **Q. What regulatory treatment is Bandwidth seeking in this application?**

13 A. Applicant requests that its interexchange services be subject to alternative regulation,
14 pursuant to South Carolina Code § 58-9-585 (Supp. 1999), as was first granted by the
15 Commission in Order Nos. 95-1734 and 96-55 issued in Docket No. 95-661-C.
16 Applicant also requests flexible regulation for its local exchange telecommunications
17 services as the Commission granted in Order No. 98-165 in Docket No. 97-467-C.

18 **Q. What facilities will Bandwidth use to provide its proposed local exchange**
19 **services?**

20 A. Bandwidth's telecommunications services in the State of South Carolina will initially be
21 provided through the resale of the facilities of other certificated carriers. Bandwidth will
22 deploy its own facilities in South Carolina as business and market conditions warrant.

23 **Q. What geographic areas will Bandwidth serve?**

1 A. Bandwidth seeks authority to provide service throughout the State of South Carolina.

2 **Q. Please provide the name, address and telephone number of the person that will**
3 **serve as your company's contact to the Consumer Service Division for complaint**
4 **resolution.**

5 A. Please contact Joe Campbell, Vice President of Operations, Bandwidth.com CLEC, LLC,
6 4001 Weston Parkway, Suite 100, Cary, North Carolina 27513, Tel: (919) 945-1230, Fax:
7 (919) 297-1101, Email: jcampbell@bandwidth.com.

8 **Q. If authorized to provide competitive telecommunications services, will Bandwidth**
9 **abide by the rules, regulations, policies and orders of this Commission, and the laws**
10 **of the State of South Carolina, as now adopted or that may be adopted in the future,**
11 **in its provision of competitive intrastate telecommunications services?**

12 A. Yes. Bandwidth commits to abide by all rules and regulations that are deemed to be
13 applicable to Bandwidth. Bandwidth also agrees to abide by all 911 requirements at
14 such time as Bandwidth begins to provide local exchange services.

15 **Q. How will Bandwidth guard against slamming?**

16 A. Bandwidth will prevent unauthorized switching of customers by obtaining a signed letter
17 of authorization ("LOA"), or similar authorization, from all new customers. Bandwidth
18 will comply with South Carolina law and Federal Communications Commission ("FCC")
19 regulations regarding how carriers may change a customer's Primary Interexchange
20 Carrier.

21 **Q. How will Bandwidth handle service, billing and repair complaints?**

22 A. Bandwidth has a toll-free number, (800) 808-5150, that customers may call to register
23 service, billing and repair complaints. Bandwidth views customer satisfaction as critical

1 to its success in the competitive marketplace and will address all services, billing, and
2 repair complaints and inquiries promptly. If Bandwidth is unable to resolve a billing
3 complaint to a customer's satisfaction, Bandwidth will advise the customer of its right to
4 file a complaint with the South Carolina Office of Regulatory Staff or the South Carolina
5 Public Service Commission.

6 **Q. Will Bandwidth comply with all applicable Commission service rules and billing**
7 **standards?**

8 A. Yes.

9 **Q. Please describe the public interest benefits associated with Bandwidth's proposed**
10 **offering of telecommunications services in South Carolina.**

11 A. Grant of this Application will further the public interest by expanding the availability of
12 competitive telecommunications services in the State of South Carolina. Competitive
13 provision of these services is in the public interest because the services will provide
14 South Carolina customers with access to new technologies and service choices and can
15 permit customers to achieve increased efficiencies and cost savings. Bandwidth's entry
16 into the intrastate telecommunications services market thereby will enhance materially
17 the telecommunications infrastructure in the State of South Carolina and will facilitate
18 economic development.

19 In particular, the public will benefit both directly, through the use of the competitive
20 services to be offered by Bandwidth, and indirectly because the presence of Bandwidth in
21 this market will increase the incentives for other telecommunications providers to operate
22 more efficiently, offer more innovative services, reduce their prices, and improve their

1 quality of service. Grant of the Application will enhance further the service options
2 available to South Carolina citizens for the reasons set forth above.

3 **Q. Does this conclude your testimony?**

4 A. Yes, it does.